

## REMARKS

Applicant respectfully requests re-consideration of the application in view of the arguments presented below.

### Summary of Office Action

Claims 1-22 are pending.

Claims 1-6, 10-17, and 20 were rejected under 35 U.S.C. § 102 as being anticipated by Pessl, et al. "Proceedings of the 27<sup>th</sup> European Conference on Solid-State Circuits", ESSCIRC 2001, Sept. 18-20, 2001 ("Pessl").

Claims 7-8 and 18-19 were rejected under 35 U.S.C. § 103 as being unpatentable over Pessl and U.S. Patent No. 5,835,533 of Booth ("Booth").

Claims 21-22 were rejected under et U.S.C. § 103 as being unpatentable over Pessl and U.S. Patent No. 6,226,331 of Gambuzza ("Gambuzza").

Claim 9 was indicated as being allowable if re-written.

### Response to 35 U.S.C. § 102 rejections

Claims 1-6, 10-17, and 20 were rejected as being anticipated by Pessl.

Applicant respectfully submits that Pessl does not teach or disclose *a) a first driver for driving a downstream data signal in a non-voiceband range and a metering signal onto a subscriber line; b) a second driver for driving a downstream voice signal in a voiceband range onto the subscriber line, wherein the second driver is distinct from the first driver; and c) receiver circuitry coupled to provide an upstream data signal and an upstream voice signal from an upstream signal carried by the subscriber line, wherein the first driver and receiver circuitry reside on the same first integrated circuit die.*

The Infineon IVAX chipset consists of four integrated circuits. Notably, the Analog Front End includes the codec but not the SLIC or linefeed driver. (Pessl, pg. 117, col. 2; Fig. 2). The blocks primarily illustrate DAC or ADC conversion and filters but no drivers or interface to the subscriber line. Clearly,

given the number of signal lines illustrated about the AFE there are other components (not illustrated) for interfacing the AFE to the subscriber line.

Even if one assumes *arguendo* that the block diagram discloses receiver circuitry coupled to provide an upstream data signal and an upstream voice signal from an upstream signal carried by the subscriber line, there is a complete lack of disclosure of *a first driver for driving a downstream data signal in a non-voiceband range and a metering signal onto a subscriber line.*

Although Pessl mentions “a lot of nice features implemented, ... [a]n interesting one is the possibility to transmit also metering pulses...” such a statement hardly qualifies as a disclosure for the details of metering pulses/signals implementation. Notably, this statement is located in Pessl §2.3 regarding “Voice Path” rather than §2.2 regarding “Data Path”. Thus applicant submits to the extent there is a disclosure of any metering signal, Pessl seems to teach incorporating such a metering signal into the voice path rather than the data path. Clearly *there is no teaching that the downstream data signal and any metering signal are driven using the same first driver.*

Given that drivers are *expressly omitted* from the block diagram of Pessl (p. 117, col. 2), applicant submits that the Pessl does not teach or disclose a first driver residing on the same first integrated circuit as the receiver circuitry or even that there is a second driver distinct from the first driver for driving the downstream voice signal.

Thus Pessl does not teach or suggest *a) a first driver for driving a downstream data signal in a non-voiceband range and a metering signal onto a subscriber line; b) a second driver for driving a downstream voice signal in a voiceband range onto the subscriber line, wherein the second driver is distinct from the first driver; and c) receiver circuitry coupled to provide an upstream data signal and an upstream voice signal from an upstream signal carried by the subscriber line, wherein the first driver and receiver circuitry reside on the same first integrated circuit die.*

In contrast, claim 1 includes the language:

1. A subscriber line interface circuit apparatus, comprising:
  - a first driver for driving a downstream data signal in a non-voiceband range and a metering signal onto a subscriber line;*
  - a second driver for driving a downstream voice signal in a voiceband range onto the subscriber line, wherein the second driver is distinct from the first driver; and*
  - receiver circuitry coupled to provide an upstream data signal and an upstream voice signal from an upstream signal carried by the subscriber line, wherein the first driver and receiver circuitry reside on a same first integrated circuit die.*

(Claim 1)(*emphasis added*)

Similar arguments may be presented with respect to claim 12. In particular, Pessl does not teach or suggest *a) first driver circuitry for driving a downstream data signal and a metering signal onto a subscriber line; b) a second driver for driving a downstream voice signal onto the subscriber line; and c) receiver circuitry for receiving and separating an upstream signal from the subscriber line into an upstream voice signal and an upstream data signal, wherein the first driver circuitry and the receiver circuitry reside on a same first integrated circuit die exclusive of the second driver circuitry.*

In contrast, claim 12 includes the language:

12. A subscriber line interface circuit apparatus, comprising:
  - first driver circuitry for combining and driving a downstream data signal and a metering signal onto a subscriber line;*
  - second driver circuitry for driving a downstream voice signal onto the subscriber line; and*
  - receiver circuitry for receiving and separating an upstream signal from the subscriber line into an upstream voice signal and an upstream data signal, wherein the first driver circuitry and the receiver circuitry reside on a same first integrated circuit die exclusive of the second driver circuitry.*

(Claim 12)(*emphasis added*)

Thus claims 1 and 12 are not anticipated under 35 U.S.C. § 102 by Pessl. Given that claims 2-11 depend from claim 1 and claims 13-22 depend from claim 12, applicant submits claims 2-11 and 13-22 are likewise not anticipated by the cited reference.

Applicant respectfully submits the rejections under 35 U.S.C. § 102 have been overcome.

### Response to 35 U.S.C. § 103 rejections

Claims 7-8, 18-19, and 21-22 were rejected under 35 U.S.C. over Pessl in view of either Booth or Gambuzza.

Applicant submits that claims 7-8, 18-19, and 21-22 are all dependent claims. None of Booth or Gambuzza resolves the deficiencies of Pessl argued above with respect to the 35 U.S.C. § 102 rejections. Accordingly, claims 1 and 12 are patentable under 35 U.S.C. § 103 over Pessl in view of either Booth or Gambuzza.

Given that claims 2-11 depend from claim 1 and claims 13-22 depend from claim 12, applicant submits that claims 2-11 (i.e., including claims 7-8) and claims 13-22 (i.e., including claims 18-19 and 21-22) are likewise patentable under 35 U.S.C. § 103 over the cited references in any combination.

Applicant respectfully submits that the rejections under 35 U.S.C. § 103 have been overcome.

### Conclusion

In view of the amendments and arguments presented above, applicant respectfully submits the applicable rejections and objections have been overcome. Accordingly, claims 1-22 should be found to be in condition for allowance.

If there are any issues that can be resolved by telephone conference, the Examiner is respectfully requested to contact the undersigned at (512) 858-9910.

Respectfully submitted,

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